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Medtronic Vascular, Inc., Medtronic USA,
Inc., and Medtronic Galway, Ltd.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

BOSTON SCIENTIFIC CORP.,

Plaintiff,

vs.

MEDTRONIC, INC., MEDTRONIC
VASCULAR, INC., MEDTRONIC USA, INC.,
MEDTRONIC VASCULAR GALWAY, LTD.

Defendants.

Case No. CV 08 3844 PJH

**STIPULATION AND [PROPOSED] ORDER
TO CONTINUE CASE MANAGEMENT
CONFERENCE**

Stipulation and [Proposed] Order to Continue Case
Management Conference
Case No. CV 08 3844 PJH

1 The Case Management Conference is currently scheduled for December 18, 2008 pursuant to
 2 the Court's Order granting the parties' joint request to continue the Case Management Conference.
 3 (Dkt. No. 27.) The parties remain engaged in discussions to resolve their disputes without the
 4 assistance of the Court. In light of these discussions and for the purposes of preserving the resources
 5 of the parties and the Court, the parties, through their respective undersigned counsel, jointly request
 6 that the Court further continue the Case Management Conference from December 18, 2008 to January
 7 22, 2009.

8 The parties also agree that all pending due dates under the Federal Rules of Civil Procedure are
 9 extended 30 days from their current due dates and all dates under the Patent Local Rules are moved
 10 commensurate with the new Case Management Conference date to be set by the Court.

11 Respectfully submitted,

12 Dated: December 5, 2008

HOWREY LLP

13 By: /s/ Katharine L. Altemus
 14 Katharine L. Altemus
 15 Attorneys for Plaintiff/Counterdefendant
 16 BOSTON SCIENTIFIC CORP.

17 **GIBSON, DUNN & CRUTCHER LLP**

18 By: /s/ H. Mark Lyon
 19 H. Mark Lyon
 20 Attorneys for Defendants/Counterclaimants
 21 MEDTRONIC, INC., MEDTRONIC
 22 VASCULAR, INC., MEDTRONIC USA, INC.,
 and MEDTRONIC VASCULAR GALWAY,
 LTD.

23 Concurrence in the filing of this document has been obtained from H. Mark Lyon, the signatory
 24 listed above.

25 **HOWREY LLP**

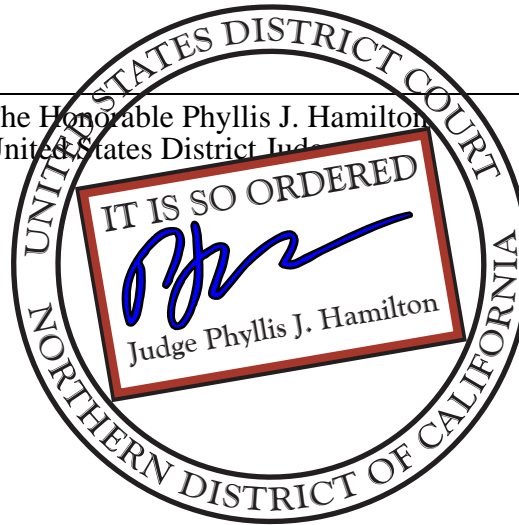
26 By: /s/ Katharine L. Altemus
 27 Katharine L. Altemus
 28 Attorneys for Plaintiff/Counterdefendant
 BOSTON SCIENTIFIC CORP.

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: 12/10/08

The Honorable Phyllis J. Hamilton
United States District Judge



CERTIFICATE OF SERVICE

I am employed in the County of San Mateo, State of California. I am over the age of 18 and not a party to the within action. My business address is 1950 University Avenue, 4th Floor, East Palo Alto, California 94303.

On December 5, 2008, I served on the interested parties in said action the within:

**STIPULATION AND [PROPOSED] ORDER TO
CONTINUE CASE MANAGEMENT CONFERENCE**

by placing a true copy thereof in a sealed envelope(s) addressed as stated below and causing such envelope(s) to be deposited in the U.S. Mail at East Palo Alto, California.

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☒ (EMAIL/ELECTRONIC TRANSMISSION) Based on a court order or an agreement of the parties to accept service by e-mail or electronic transmission, I caused the documents to be sent to the persons at the e-mail addresses listed above. I did not receive, within a reasonable time after the submission, any electronic message or other indication that the transmission was unsuccessful.

☒ (BY CM/ECF) I caused such document(s) to be sent via electronic mail through the Case Management/Electronic File system with the U.S. District Court for the Northern District of California.

I declare under penalty of perjury that I am employed in the office of a member of the bar of this Court at whose direction the service was made and that the foregoing is true and correct.

Executed on December 5, 2008, at East Palo Alto, California.

Tammy Miller

(Type or print name)

/s/ Tammy Miller

(Signature)